

## **Environmental Regulations Guide**

### **Section 1 Clean Air**

#### **1.0 Clean Air Act (CAA) of 1970 and 1990 Amendments: 40 CFR parts 50-99**

##### **Purpose**

To attain and maintain National Ambient Air Quality Standards (NAAQS) throughout the country to protect public health.

##### **Helpful Details**

In Arizona, most Clean Air Act provisions are administered at the state or county level (see the related state and county sections).

The Clean Air Act is the governing law and regulations document for air quality programs. State and county air quality programs must conform to all of the CAA's requirements. As a result, there are a large number of air programs whose authority stems from the CAA. Included in the state and county sections which follow are: 1) Attainment and NAAQS maintenance – including non-attainment area SIP and FIP requirements; 2) Title V permit programs – including pre-construction review permits, prevention of significant deterioration (PSD) permits and new source performance standards; 3) Non-title V permit programs; 4) mobile source programs; 5) hazardous air pollutants programs; 6) acid rain programs; 7) Stratospheric ozone protection (CFC) programs; 8) Employer trip reduction programs; 9) Risk management programs; and 10) asbestos programs.

See following sections for details on all of these programs.

##### **Agency Contacts**

U.S. Environmental Protection Agency (EPA)  
401 M Street SW  
Washington, DC 20460  
(202) 554-1404

United States Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 744-2125

##### **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
EPA Region IX Liaison: Colleen McKaughan (520) 498-0118

#### **1.1 State Air Quality Programs: ARS 49:401 ff; AAC Title 18; chp. 2-3**

##### **Purpose**

To provide a coordinated statewide program to control present and future sources of emissions of air contaminants in order to protect health, safety and welfare of all citizens of the state.

##### **Helpful Details**

ADEQ is authorized to administer all air quality programs throughout the state. In turn, ADEQ can authorize individual counties, i.e. Pima County and Maricopa County to administer air quality programs in their respective jurisdictions. ADEQ directly administers two programs in Maricopa County – Vehicle emissions inspection and non-attainment area state implementation plans. The other air quality programs are administered by Maricopa County Environmental Services Department.

Attainment Areas & State Implementation Plan (SIP): Arizona's SIP has been amended to comply with

the 1990 Clean Air Act Amendments. The U.S. Environmental Protection Agency (EPA) has issued final interim approval of the SIP, and Arizona is fully authorized to enforce all of its own air pollution regulations. Air permits: Title V status. Arizona's current state air permitting program for new sources and modified existing sources of air pollution is still in effect. ADEQ requires both construction and operating permits. EPA granted interim approval to ADEQ's Title V operating permit program on November 30, 1996. Once the state receives final approval from EPA, ADEQ's Title V operating permit program will replace the state's current permitting program. Most of Maricopa County is in nonattainment for Carbon Monoxide, Ozone and Particulates, i.e. PM<sub>10</sub>. The region is in the process of applying for redesignation to attainment for carbon monoxide and ozone. If redesignated, the region must continue clean air efforts under a maintenance plan. Both the non-attainment and maintenance plans affect permitting for sources of air pollution in Maricopa County.

Hazardous Air Pollutants (HAPs): The state's current HAP program is being revised by ADEQ to be more consistent with the federal HAP program. The HAP program ties in to the Title V operating permit program, and once the state's operating permit is approved by EPA, all HAP-emitting sources will be required to obtain operating permits.

New Source Performance Standards (NSPS): ADEQ has adopted all of EPA's NSPS requirements. These NSPS are applicable to all new or modified air contaminant sources.

### **1.1.1 Attainment Areas and State Implementation Plans (SIPs):** ARS 49-404-410

#### **Purpose**

To ensure a state specific plan is developed and implemented to reach and maintain National Ambient Air Quality Standards (NAAQS).

#### **Helpful Details**

A State Implementation Plan (SIP) addresses air quality statewide. Within the state plan (SIP) regional plans are developed for counties or air basins with specific air pollutant problems. The Maricopa County area is in non- attainment for 3 air pollutants – ozone, carbon monoxide and particulates. ADEQ works with Maricopa Association of Governments (MAG), to develop regional plans to control and reduce levels of air contaminants. Each city in the region submits commitments for the regional plans.

#### **Agency Contacts**

United States EPA - Region IX 75 Hawthorne Street San Francisco, CA 94105 (415) 744-2125	ADEQ - Division of Air Quality 3033 N. Central Avenue Phoenix, AZ 85012 (602) 207-2338
Maricopa Association of Governments 302 N. 1st Ave., Ste. 300 Phoenix, AZ 85003 (602) 254-6300	

#### **Actions Required**

Once the SIP is complete, submitted and approved by EPA, all City of Scottsdale commitments in the plan become legally binding. The Environmental Planning and Design Office has a comprehensive list of the city's legally binding commitments.

**Fees**

ADEQ or MAG pays fees to EPA.

**Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

EPA Region IX Liaison: Colleen McKaughan (520) 498-0118

**1.1.2 Vehicle Emission Inspection: ARS 49-541 (Article 5)**

**Purpose**

The purpose of the vehicle emission inspection program is to reduce the amount of pollutants vehicles emit into the environment. Vehicles must pass the IM240 test or they are not permitted on the road.

**Helpful Details**

IM-240 is currently in place in Arizona

Arizona Department of Environmental Quality 3033 N. Central Avenue Phoenix, AZ 85012 (602) 207-2338	Arizona Department of Transportation 206 South 17 <sup>th</sup> Avenue Phoenix, AZ 85006 (602) 255-7011
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**Actions Required**

All City fleet vehicles are required to have current emissions inspection stickers. Fleet Management is authorized to conduct emissions inspections on some vehicles in the fleet. Fleet is responsible for keeping all emissions registrations current for all city fleet vehicles.

**Fees**

Inspection/license fees required for every city fleet vehicle

**Best numbers to call**

City of Scottsdale Fleet Management (480) 312-5575

**1.2 Maricopa County Air Program: Maricopa County Air Pollution Control Regulations- Authorized by ARS 49-471-516 & ARS 49-402**

Maricopa County Environmental Services Department, Air Pollution Control Division administers most of the state air programs in Maricopa County. The only two programs administered by ADEQ are the air quality planning programs (attainment areas, SIPs) and the statewide vehicle emissions program (IM 240). See the state section above for details on these two programs. All other air emissions sources requiring Title V, Non Title V or General permits in Maricopa County must obtain those permits from Maricopa County Environmental Services Department. The sections below detail the county's main air programs and the Maricopa County Air Pollution Control Regulations (APCR) that are most applicable to the current City of Scottsdale operations.

Go to [Maricopa County Air Pollution Control Regulations \(APCR\)](#) to determine if future (or changing) City operations will be subject to other county air rules.

### 1.2.1 Trip Reduction Program (TRP) ARS 49-581 (Article 8)

#### **Purpose**

The employee Trip Reduction Program (TRP) is a voluntary program designed to reduce the number of vehicle miles traveled by employees commuting to and from work.

#### **Helpful Details**

Scottsdale has about 2000 employees working at numerous sites throughout the city. There are two major campuses - Via Linda Campus and Civic Center Campus. Scottsdale's TRP uses the following strategies to reduce vehicle miles traveled by employees commuting to and from work.

Compressed work schedules  
Alternative modes of commuting (e.g. carpool, vanpool, bus, bike, walk)  
Telework

Other air quality strategies include:

use of alternatively fueled fleet vehicles  
regional work sites

#### **Agency Contacts**

Transportation Department - TRP 7447 E. Indian School Road, Suite 205 Scottsdale, AZ 85251 (480) 312-7696	ADEQ -Division of Air Quality 3033 N. Central Avenue Phoenix, AZ 85012 (602) 207-2338
Maricopa County Trip Reduction Program 1001 N. Central Avenue, Suite 200 Phoenix, AZ 85004 Phone (602) 506-6750 Fax (602) 506-6669	

This is a voluntary program, which encourages city employees to use one of the methods of reducing single occupant vehicle trips for commuting. Employees should consult with their supervisor for authorization.

Annual TRP surveys are conducted with all employees to document the city's progress in reducing single occupant vehicle trips annually. The TRP requires the city to provide an annual report of single occupant vehicle trip rates for employees at the Via Linda Campus and at the Civic Center Campus. The ultimate goal is to reduce single occupant vehicle trip rates to 60% of the baseline year 1990. Currently, there are no penalties for failing to meet this goal. There are requirements to submit the annual report however. The Transportation Department prepares and submits the annual report.

#### **Fees**

None

#### **Best Numbers to Call**

Scottsdale TRP: (480) 312-7696  
Maricopa County TRP: (602) 506-6750

## 1.2.2 Air Emission Control: 40 CFR 81.310; FAC 62-296.400 and 62-296.800; ARS 49-421 (Article 2); AAC Title 18 chapter 2 Articles 1-9; 40 CFR 52.144;

### Purpose

To limit the volume of Hazardous Air Pollutants (HAPs) released to the air by industrial sources. Controlling industry sources of air pollutants is one aspect of the effort to attain National Ambient Air Quality Standards (NAAQS).

### Helpful Details

ADEQ's Division of Air Quality and Maricopa County Environmental Services Department are responsible for administering and enforcing Arizona's air pollution rules. Arizona's air program is shaped by its State Implementation Plan (SIP). The SIP focuses on the Title V operating permits, nonattainment areas, Hazardous Air Pollutants (HAPs), New Source Performance Standards (NSPS) and numerous other air related requirements.

### Agency Contact

ADEQ - Division of Air Quality 3033 N. Central Ave. Phoenix, AZ 85012 (602) 207-2338	Maricopa County Environmental Services Department - Air Quality Div. 1001 N. Central Ave., suite 201 Phoenix, AZ 85004 (602) 506-6010
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### Actions Required

<p><b>REMINDERS:</b> <i>This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:</i></p> <ol style="list-style-type: none"> <li>1) <i>pay fees;</i></li> <li>2) <i>write and submit plans and applications;</i></li> <li>3) <i>file reports;</i></li> <li>4) <i>make notifications;</i></li> <li>5) <i>conduct testing and monitoring;</i></li> <li>6) <i>obtain facility and individual certifications and licenses;</i></li> <li>7) <i>train staff; and various other requirements.</i></li> </ol> <p><i>Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.</i></p>
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Any city facility, operation or process that results in emissions to the air could be subject to permitting requirements under these regulations. The volume of air pollutants generated determines whether or not the facility, operation or process needs a permit, and what type of permit is required.

Examples of facilities, operations or processes include UST's, incinerators, spray/paint booths, boilers, standby generators and chlorine tanks. The city has 8 air quality permits from Maricopa County.

In addition to obtaining a permit and paying the fees for that permit, specific operations or processes must comply with specific requirements outlined on the permit. Adequate training for competence is required for all employees who work directly with any process that generates air pollutants. Annual reports on the volume of air pollutants released from the facility, operation or process must be filed on appropriate forms.

### **Fees**

See appendix A for Maricopa County fees schedule, see Appendix B for ADEQ fee schedule.

### **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

Arizona Department of Environmental Quality: (602) 207-2338

## **1.2.3 Maricopa County Air Pollution Rules:**

The Maricopa County Air Pollution Control Regulations (APCR) are a set of rules separate from the Maricopa County Environmental Health Code (EHC). The intent of these rules is to prevent, reduce, control, correct or remove air pollution originating within the territorial limits of Maricopa County and to carry out the mandates of Title 49 of the Arizona Revised Statutes (ARS 49-402; 49-471-516)

The next five subsections describe the rules which most impact city operations. Consult the Maricopa County Air Pollution Control Regulations (APCR) to determine if any other specific county rules apply to your department's operations and/or activities.

- a. fugitive dust;
- b. volatile organic compounds (VOCs);
- c. gasoline;
- d. hazardous air pollutants (HAPs); and
- e. cutback and emulsified asphalt.

Maricopa County also issues open burn permits. The web site below has a listing of the Maricopa County air permits on-line. <http://www.maricopa.gov/envsvc/AIR/permits/applications.asp>

### **1.2.3.1 Fugitive Dust Regulations: Maricopa County (APCR) Rule 310 ; Maricopa County (APCR) Rule 310.01**

#### **Purpose**

To limit the amount of particulate matter in the ambient air, and protect human health by attaining the National Ambient Air Quality Standard (NAAQS) for particulate matter. To minimize the amount of fine particulate matter entrained into the ambient air as a result of the impact of human activities by requiring measures to prevent, reduce or mitigate particulate matter emissions.

#### **Helpful Details**

Rule 310 requires dust control plans and implemented measures for all permitted sites, especially construction activities. Rule 310.01 requires dust control for unpermitted sites such as unpaved roads, unpaved parking lots and vacant lots.

#### **Agency to Contact**

Maricopa County Environmental Services Department - Air Quality Division  
1001 N. Central Avenue, Suite 201  
Phoenix, AZ 85004  
(602) 506-6734

## **Actions Required**

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) pay fees;*
- 2) write and submit plans and applications;*
- 3) file reports;*
- 4) make notifications;*
- 5) conduct testing and monitoring;*
- 6) obtain facility and individual certifications and licenses;*
- 7) train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

Rule 310 contains requirements for controlling dust on construction sites. A Rule 310 dust control permit, which must be obtained from Maricopa County, specifies dust control actions before, during and after dust-generating activity. After the construction activities on the site are complete, the ground surface must be permanently stabilized.

In addition, Maricopa County Rule 310.01 requires dust control of unpermitted sources such as unpaved roads, vacant lots and unpaved parking lots. The most common methods of dust control are paving, chemical stabilization, vegetation or gravel. Weed control operations are also impacted by Rule 310.01. Weed problem areas should not be bladed to bare earth. Mowing weeds to leave vegetative stabilization is the preferred method.

Dust control is required on unpaved roads with 250 average daily trips (ADT) or more and by June 10, 2004 dust control will be required on all unpaved roads with 150 ADT or more.

Dust control is also required on vacant lots when more than a one half acre of surface area is disturbed, and on unpaved parking lots larger than 5,000 square feet of area (roughly 15 parking spaces).

If vehicles drive on open areas or vacant lots that are 1/10th of an acre in size or more, AND the vehicles disturb more than 500 square feet of area, dust control is required on the disturbed areas. "Vehicles" include on-road and off-road vehicles.

## **Fees**

See appendix A - Maricopa County Fees

## **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

Maricopa County Environmental Services Department: (602) 506-6734

## **1.2.3.2 Volatile Organic Compounds (VOCs) – Maricopa County (APCR) Rule 330**

### **Purpose**

The purpose of Rule 330 is to limit emissions of volatile organic compounds (any organic compound except non-precursor organic compounds) into the atmosphere that may result from the use of organic solvents or processes that emit Volatile Organic Compounds (VOCs).



### Helpful Details

The city currently is not subject to the requirements of this rule because no operation/process in the city emits large enough volumes of VOCs. City employees should be aware of this rule and the thresholds in order to keep the city in exempt status.

### Actions Required

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) *pay fees;*
- 2) *write and submit plans and applications;*
- 3) *file reports;*
- 4) *make notifications;*
- 5) *conduct testing and monitoring;*
- 6) *obtain facility and individual certifications and licenses;*
- 7) *train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

## 1.2.3.3 Gasoline – Maricopa County (APCR) Rules 352 and 353

### Purpose

The purpose of Rules 352 and 353 is to limit emissions of volatile organic compounds (VOCs) from gasoline delivery vessels and from the transfer of gasoline into stationary dispensing tanks.

### Helpful Details

Rules 352 and 353 primarily affect gasoline delivery trucks. However, the rule also states that a stationary tank, aboveground or underground, must be fitted with a submerged fill pipe. Therefore, any city UST or AST that holds gasoline and has a capacity of 350 gallons or more, must have this device.

### Actions Required

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) *pay fees;*
- 2) *write and submit plans and applications;*
- 3) *file reports;*
- 4) *make notifications;*
- 5) *conduct testing and monitoring;*
- 6) *obtain facility and individual certifications and licenses;*
- 7) *train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*



#### **1.2.3.4 Hazardous Air Pollutants (HAP's): Maricopa County (APCR) Rule 370**

##### **Purpose**

The purpose of Rule 370 is to establish emission standards for federally listed hazardous air pollutants and require controls for major sources of HAPs. Major sources are defined as those that emit or could potentially emit 10 tons of HAPs per year.

##### **Helpful Details**

With a single notable exception, the city is not currently subject to any of the requirements in this rule because no operation/process in the city emits large enough volumes of VOC's. However, City employees should be aware of this rule and the thresholds in order to maintain the city's exempt status. The one notable exception applicable to the city involves asbestos. Any city operation/process, which deals with asbestos, is subject to the requirements in this rule. See Section 9.1 of this Guide for specifics on asbestos requirements for city operations and employees.

##### **Actions Required**

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) pay fees;*
- 2) write and submit plans and applications;*
- 3) file reports;*
- 4) make notifications;*
- 5) conduct testing and monitoring;*
- 6) obtain facility and individual certifications and licenses;*
- 7) train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

#### **1.2.3.5 Cut Back and Emulsified Asphalt: Maricopa County (APCR) Rule 340**

##### **Purpose**

The purpose of Rule 340 is to limit emissions of volatile organic compounds from the use of cutback and emulsified asphalt and other bituminous materials.

##### **Helpful Details**

Rule 340 applies to roads, parking lots and soil stabilization activities that use asphalt products. Road maintenance crews and contract administrators who oversee asphalt companies and paving activities must comply with this rule. The rule prohibits any person selling or using asphalt that does not conform to the VOC standards in Rule 340.

## **Actions Required**

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) pay fees;*
- 2) write and submit plans and applications;*
- 3) file reports;*
- 4) make notifications;*
- 5) conduct testing and monitoring;*
- 6) obtain facility and individual certifications and licenses;*
- 7) train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

## **Agency To Contact**

Maricopa County Environmental Services Department  
Air Quality Division  
1001 N. Central Avenue, Suite 201  
Phoenix, AZ 85004  
(602) 506-6010  
(602) 506-6179 (fax)

## **Fees**

[Maricopa County Fee Schedule](#)

## **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
Maricopa County Environmental Services Dept.: (602) 506-6010